

Formal Session Agenda
2-18-20
Referrals

INTERNAL OPERATIONS STANDING COMMITTEE

OFFICE OF CONTRACTING
AND PROCUREMENT

2

February 13, 2020

HONORABLE CITY COUNCIL:

The Purchasing Division of the Finance Department recommends a Contract with the following firm(s) or person(s):

6002248 100% City Funding – To Provide Cloud Based Talent Analytic Software, Enabling Human Resources to Administer Services and Implement Programs that Attract, Hire, Retain and Support Workforce Talent. – Contractor: Zeroed-In Technologies, LLC – Location: 11037 Harbour Yacht Court Suite 201, Fort Myers, FL 33908 – Contract Period: March 1, 2020 through February 28, 2022 – Total Contract Amount: \$324,000.00 **HUMAN RESOURCES**

Respectfully submitted,

Boysie Jackson, Chief Procurement Officer
Office of Contracting and Procurement

BY COUNCIL MEMBER MCCALISTER

RESOLVED, that Contract No. 6002248 referred to in the foregoing communication dated February 13, 2020, be hereby and is approved.



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

3

Date: February 10, 2020
To: Honorable City Council
From: Law Department *[Signature]*
Re: Service of Subpoenas on Councilmembers

The Law Department has submitted a privileged and confidential opinion, dated February 6, 2020, regarding the above-referenced matter.



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313-224-4550
Fax 313-224-5505
www.detroitmi.gov



Date: February 11, 2020

To: Honorable City Council

From: Law Department

Re: Emergency procurement of Conway Mackenzie to provide expert witness testimony in connection with the pending property tax appeal by MGM Grand Detroit

The Law Department has submitted a privileged and confidential memorandum, dated February 10, 2020, regarding the above-referenced matter.



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

6

February 10, 2020

HONORABLE CITY COUNSEL

RE: Spine Specialists of Michigan (Conie Green) v COD
Case No: 19-145995-GC
File No: L19-00206CBO

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is attached. From this review, it is our considered opinion that a settlement in the amount of **Four Thousand Dollars and NO/Cents (\$4,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Four Thousand Dollars and NO/Cents (\$4,000.00)** and that you direct the Finance Director to issue a draft in that amount payable to Spine Specialist of Michigan, PC and its attorney, Anthony, Paulovich & Worrall PLLC, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 19-145995-GC, approved by the Law Department.

Respectfully submitted,
/s/ *Crystal Olmstead*
Crystal Olmstead
Senior Assistant Corporation Counsel

APPROVED: FEB 10 2020
LAWRENCE GARCIA
Corporation Counsel

BY: /s/ *James D. Nosedá*
James D. Nosedá
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 FEB 12 PM 4:39

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Four Thousand Dollars and ^{NO}/Cents (\$4,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Spine Specialist of Michigan, PC and **its** attorney, **Anthony Paulovich & Worrall PLLC**, in the amount of **Four Thousand Dollars and ^{NO}/Cents (\$4,000.00)** in full payment for any and all claims which Spine Specialist of Michigan, PC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about **March 10, 2018**, and otherwise set forth in Case No.19-145995-GC, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit **No.19-145995-GC** and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY: /s/ *James D. Nosed*
James D. Nosed
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



6

LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

January 30, 2020

HONORABLE CITY COUNCIL

RE: **Corey Calhoun v. City of Detroit**
Case No: 18-015705-NF
File No: L19-00030 (RG)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Ten Thousand Five Hundred Dollars and ^{NO}/Cents (\$10,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Ten Thousand Five Hundred Dollars and ^{NO}/Cents (\$10,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Corey Calhoun and his attorney, Elassa & Associates, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-015705-NF, approved by the Law Department.

Respectfully submitted,
/s/ *Raymond Garant*
Assistant Corporation Counsel

APPROVED: FEB 11 2020
LAWRENCE GARCIA
Corporation Counsel

BY: /s/ *Krystal A. Crittendon*
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 FEB 12 PM 4:39

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Ten Thousand Five Hundred Dollars and ^{NO}/Cents (\$10,500.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Corey Calhoun and his attorney, Elassa & Associates, in the amount of **Ten Thousand Five Hundred Dollars and ^{NO}/Cents (\$10,500.00)** in full payment for any and all claims which Corey Calhoun may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No. 18-015705-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-015705-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY: /s/*Krystal A. Crittendon*
Krystal A. Crittendon
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____

7



LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313-224-4550
Fax 313-224-5505
www.detroitmi.gov

February 4, 2020

HONORABLE CITY COUNCIL

RE: Harris, Deon et al, v Ramone Counts and COD

Case No: 18-009000-NI
File No: L18-00491 MBC

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Three Hundred Two Thousand Dollars and ^{NO}/Cents (\$302,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Three Hundred Two Thousand Dollars and ^{NO}/Cents (\$302,000.00)** and that Your Honorable Body direct the Finance Director to issue drafts in the amount of **\$150,000.00** payable to Deon Harris and his attorney, **BASHORE GREEN LAW GROUP**, **\$107,000.00** to Michigan Head & Spine Institute, P.C. and **\$45,000.00** to Surgeons Choice Medical Center and their attorneys, **MILLER & TISCHLER, P.C.** to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-009000-NI, approved by the Law Department.

Respectfully submitted,
Mary Beth Cobbs
Assistant Corporation Counsel

APPROVED: **FEB 12 2020**
LAWRENCE GARCIA
Corporation Counsel

BY: /s/ *Jerry L. Ashford*
Jerry L. Ashford
Chief of Litigation

CITY CLERK 2020 FEB 12 PM 4:40

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Three Hundred Two Thousand Dollars and ^{NO}/Cents (\$302,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **DEON HARRIS** and his attorney, **BASHORE GREEN LAW GROUP.**, in the amount of **One Hundred Fifty Thousand Dollars and ^{NO}/Cents (\$150,000.00)**, **SURGEONS CHOICE MEDICAL CENTER** and their attorney **MILLER & TISCHLER, P.C.** in the amount of **Forty Five Thousand Dollars and ^{NO}/Cents (\$45,000.00)** and **MICHIGAN HEAD & SPINE INSTITUTE, P.C.** and their attorney **MILLER & TISCHLER, P.C.** in the amount of **One Hundred Seven Thousand Dollars and ^{NO}/Cents (\$107,000.00)** in full payment for any and all claims which Deon Harris may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-009000-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-009000-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY: */s/ Jerry L. Ashford*
Jerry L. Ashford
Chief of Litigation

Approved by City Council: _____

Approved by the Mayor: _____



8

LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

February 4, 2020

HONORABLE CITY COUNCIL

RE: Shelborne Development Company v COD
Wayne County Circuit Court Case No: 18-014282-CH
File No: L18-00693 EBG

Sale of Property located at 676 West Alexandrine to The Ferlito Group
Sale of Property located at 678 and 684-886 to Shelborne Development, LLC

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement of this lawsuit requiring the rescission of City Council's resolutions dated November 28, 2001 and March 20, 2018, the sale of property located at 676 West Alexandrine to The Ferlito Group, LLC for One Hundred Fifty-Three Thousand Two Hundred Ninety-Five Dollars and ⁰⁰/Cents (\$153,295.00) the sale of property at 678 and 684-86 West Alexandrine to Shelborne Development, LLC, for Sixty-One Thousand Seven Hundred Five Dollars and ⁰⁰/Cents (\$61,705.00) and the issuance of a credit in the amount of Forty Thousand Dollars and ⁰⁰/Cents (\$40,000.00) against blight judgments owed by "The Savarine, LLC" in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter according to the foregoing terms, conditioned upon receipt of a properly executed Release and a Stipulation and Order of Dismissal entered in Lawsuit No.18-014282-CH, approved by the Law Department.

Respectfully submitted,
/s/ *Eric B Gaaba*
Senior Assistant Corporation Counsel

APPROVED: FEB 07 2020
LAWRENCE GARCIA
Corporation Counsel

BY: /s/ *James D. Nosed*
James D. Nosed
Supervising Assistant Corporation Counsel

CITY CLERK 2020 FEB 10 AM 10:51

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that the November 28, 2001 City Council resolution authorizing the Detroit City Treasurer to execute an agreement for **SHELBORNE DEVELOPMENT, LLC** to purchase and develop property located at 676, 678 and 684-86 West Alexandrine for Fourteen Thousand Dollars and 00/Cents (\$14,000.00) is hereby **RESCINDED**; and be it further

RESOLVED, that the March 20, 2018 City Council resolution authorizing the sale and conveyance of property located at 676, 678 and 684 West Alexandrine to The Ferlito Group LLC for Two Hundred Fifteen Thousand Dollars and 00/Cents (\$215,000.00) is hereby **RESCINDED**; and be it further

RESOLVED, that the property located at 678 and 684-86 West Alexandrine, described in **Exhibit A**, may be transferred and conveyed to Shelborne Development, LLC for Sixty-One Thousand Seven Hundred Five Dollars and 00/Cents (\$61,705.00); and be it further

RESOLVED, that the consideration of \$61,705 for the transfer and conveyance of the property located at 678 and 684-86 West Alexandrine to Shelborne Development, LLC, be considered as paid and satisfied through compliance with the terms of the settlement of the lawsuit entitled Shelborne Development, LLC v City of Detroit, Wayne County Circuit Court Case No. 18-014282-CH, described below; and be it further

RESOLVED, that the property located at 676 West Alexandrine, described in **Exhibit B**, may be transferred and conveyed to The Ferlito Group, LLC for \$153,295; and be it further

RESOLVED, that the Director of the Planning and Development Department, or his or her designee, is authorized to execute deeds and other documents necessary or convenient for the consummation of the transactions described above, and be it further

RESOLVED, that the Director of the Planning and Development Department, or his or her designee, is authorized to execute any instruments to make and incorporate technical amendments or changes to the Quit Claim Deeds (including but not limited to corrections or confirmations of legal descriptions, or timing of tender of possession of individual parcels) in the event that changes are required to correct minor inaccuracies or are required due to unforeseen circumstances or technical matters that may arise prior to the conveyance of the properties, provided that the changes do not materially alter the substance or terms of the transfers and sales, and be it further

RESOLVED, that the Quit Claim Deeds to be issued to Shelborne Development, LLC and The Ferlito Group will be considered confirmed when executed by the Director of the Planning and Development Department, or his or her designee, and approved by the Corporation Counsel as to form, and be it further

RESOLVED, that settlement of the lawsuit entitled Shelborne Development, LLC v City of Detroit, Wayne County Circuit Court Case No. 18-014282-CH, be and is hereby authorized through the City's application of a credit in the amount of **Forty Thousand Dollars and**

00/Cents (\$40,000.00) to unpaid blight judgments owed by The Savarine, LLC to the City of Detroit relating to property located at 13101 – 13127 East Jefferson, Detroit, Michigan; and be it further

RESOLVED, that a Quit Claim Deed to be issued by the City to Shelborne Development, LLC for property located at 678 and 684-86 West Alexandrine, and the application of the Forty Thousand Dollars and 00/Cents (\$40,000.00) credit to unpaid blight judgments owed by The Savarine, LLC relating to property located at 13101 – 13127 East Jefferson, Detroit, Michigan, is in consideration for Shelborne Development, LLC's dismissal and waiver of any and all claims which Shelborne Development, LLC may have against the City of Detroit and any other City of Detroit employees as set forth in Case No.18-014282-CH, upon receipt of a properly executed Release, Stipulation and Order of Dismissal entered in Lawsuit No. 18-014282-CH.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY: */s/James D. Nosedo*
James D. Nosedo
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____



CITY OF DETROIT
LAW DEPARTMENT

9

COLEMAN A. YOUNG MUNICIPAL CENTER
2 WOODWARD AVENUE, SUITE 500
DETROIT, MICHIGAN 48226-3535
(313) 224-4550 • TTY:711
(313) 224-5505
WWW.DETROITMI.GOV

January 14, 2020

HONORABLE CITY COUNCIL

**RE: Alex Malone v City of Detroit, et al.
Civil Action Case No: 18-015420-NI**

Representation by the Law Department of the City employee listed below is hereby recommended, as we concur with the recommendation of the Head of the Department and believe that the City Council should find and determine that the suit against the Defendant arises out of or involves the performance in good faith of the official duties of such Defendant. We, further, recommend that the City undertake to indemnify the Defendant if there is an adverse judgment. We, therefore, recommend a "YES" vote on the attached resolution.

Copies of the relevant documents are submitted under separate cover.

Employee requesting representation:

TEO Delano Smith

Respectfully submitted,

Douglas Baker
Douglas Baker, Chief of Criminal
Enforcement and Quality of Life

APPROVED:

BY: *Lawrence T. Garcia*
LAWRENCE T. GARCIA
CORPORATION COUNSEL

DB/sb

Attachments

CITY CLERK 2020 FEB 12 PM 4:40

RESOLUTION

By Council Member

:

RESOLVED, that the Law Department is hereby authorized under Section 13-11-1 et. seq. of the Municipal Code of the City of Detroit and in accordance with the foregoing communication to provide legal representation and indemnification to the following employee in the lawsuit **Alex Malone v City of Detroit et al., Civil Case No. 18-015420 -NI.**

TEO Delano Smith

APPROVED:

BY: *Lawrence T. Garcia*
LAWRENCE T. GARCIA
CORPORATION COUNSEL